

PART 732
CUSTOMER CREDITS

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Section 732.20 Local Exchange Service Obligations

Each telecommunications carrier must do all of the following:

- a) *Install basic local exchange service within 5 business days after receipt of an order from the customer unless the customer requests an installation date that is beyond 5 business days after placing the order for basic service and to inform the customer of its duty to install service within this timeframe. If installation of service is requested on or by a date more than 5 business days in the future, the telecommunications carrier shall install service by the date requested. A telecommunications carrier offering basic local exchange service utilizing the network or network elements of another carrier shall install new lines for basic local exchange service within 3 business days after provisioning of the line or lines by the carrier whose network or network elements are being utilized is complete. This subsection does not apply to the migration of a customer between telecommunications carriers, so long as the customer maintains dial tone.*
- b) *Restore basic local exchange service for a customer within 24 hours after ~~of~~ receiving notice that a customer is out of service, including those service disruptions that occur when a customer switches existing basic local exchange service from one carrier to another.*
- c) *Keep all repair and installation appointments for basic local exchange service, when a customer premises visit requires a customer to be present.*
- d) *Inform a customer when a repair or installation appointment requires the customer to be present. [220 ILCS 5/13-712(d)]*
- e) **At the time installation, repair or an appointment is requested, inform the customer of its duty to install, repair, and meet appointments within the specific timeframes set forth in this Part, as relevant to the customer's request. and inform the customer that credits and other remedies may be available if its duty to meet the relevant timeframes is not met. The obligation to inform the customer that credits and other remedies may be available shall at a minimum be satisfied by**

~~directing the customer to the specific portion of the telecommunications carrier's telephone directory.~~ Additionally, the telecommunications carrier shall inform the customer at the time a request for install, repair, and/or appointment is made, whether or not the telecommunications carrier has the requisite information to complete the request. If the telecommunications carrier requires additional information or is waiting for the customer to provide information before the install, repair and appointment can be completed, the customer shall be informed at the time the installation request is made that the order is incomplete and what information is needed from the customer to complete the order.

Section 732.30 Customer Credits

A telecommunications carrier shall credit customers for violations of the basic local exchange service quality standards described in Section 732.20 of this Part. *The credits shall be applied on the statement issued to the customer for the next monthly billing cycle following the violation or following the discovery of the violation and shall be identified as a "Service Quality Credit" or "S.Q. Credit."*

- a) *If a carrier fails to repair an out-of-service condition for basic local exchange service within 24 hours, the carrier shall provide a credit to the customer. If the service disruption is for 48 hours or less, the credit must be equal to a pro-rata portion of the monthly recurring charges for all local services disrupted. A pro-rata portion shall be based upon a 30-day month. If the service disruption is for more than 48 hours, but not more than 72 hours, the credit must be equal to at least 33% of one month's recurring charges for all local services disrupted. If the service disruption is for more than 72 hours, but not more than 96 hours, the credit must be equal to at least 67% of one month's recurring charges for all local services disrupted. If the service disruption is for more than 96 hours, but not more than 120 hours, the credit must be equal to one month's recurring charges for all local services disrupted. For each day or portion thereof that the service disruption continues beyond the initial 120-hour period, the carrier shall also provide either alternative telephone service or an additional credit of \$20 per day, at the customer's option. The customer shall be notified that he/she may choose alternative telephone service or an additional credit of \$20 per day when the service disruption continues beyond the initial 120 hour period, so the customer can exercise his/her option. In the absence of an election by the customer, the customer shall receive \$20 per day.*
- b) *If a carrier fails to install basic local exchange service as required under Section 732.20(a), the carrier shall waive 50% of any installation charges, or in the absence of an installation charge or where installation is pursuant*

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to the Link Up program, the carrier shall provide a credit of \$25. If a carrier fails to install service within 10 business days after the service application is placed, or fails to install service within 5 business days after the customer's requested installation date, if the requested date was more than 5 business days after the date of the order, the carrier shall waive 100% of the installation charge, or in the absence of an installation charge or where installation is provided pursuant to the Link Up program, the carrier shall provide a credit of \$50. For each day that the failure to install service continues beyond the initial 10 business days, or beyond 5 business days after the customer's requested installation date, if the requested date was more than 5 business days after the date of the order, the carrier shall also provide either alternative telephone service or an additional credit of \$20 per day, at the customer's option until service is installed. The customer shall be notified that he/she may choose alternative telephone service or an additional credit of \$20 per day when installation is delayed beyond the initial 10 business days, or beyond 5 business days after the customer's requested installation date, if the requested date was more than 5 business days after the date of the order, so the customer can exercise his/her option. In the absence of an election by the customer, the customer shall receive \$20 per day.

c) **If a carrier fails to keep a scheduled repair or installation appointment when a customer premises visit requires a customer to be present, the carrier shall credit the customer \$50 per missed appointment. A credit required by this subsection (c) does not apply when the carrier provides the customer with 24-hour notice of its inability to keep the appointment. The 24-hour notice period shall be construed to mean 24 hours notice by the beginning end of each 4 hour window the day before the scheduled appointment.**

~~d) If the violation of a basic local exchange service quality standard is caused by a carrier other than the carrier providing retail service to the customer, the carrier providing retail service to the customer shall credit the customer as provided in this Section. The carrier causing the violation shall reimburse the carrier providing retail service the amount credited the customer. When applicable, an interconnection agreement shall govern compensation between the carrier causing the violation, in whole or in part, and the retail carrier providing the credit to the customer.~~

ed) *When alternative telephone service is appropriate, the customer may select one of the alternative telephone services offered by the carrier. The alternative telephone service shall be provided at no cost to the customer for the provision of local service.*

fe) *Credits required by this Section do not apply if the violation of a service quality standard:*

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- 1) *occurs as a result of a negligent or willful act on the part of the customer;*
 - 2) *occurs as a result of a malfunction of customer-owned telephone equipment or inside wiring;*
 - 3) *occurs as a result of, or is extended by, an emergency situation;*
 - 4) *is extended by the carrier's inability to gain access to the customer's premises due to the customer missing an appointment, provided that the violation is not further extended by the carrier;*
 - 5) *occurs as a result of a customer request to change the scheduled appointment, provided that the violation is not further extended by the carrier;*
 - 6) *occurs as a result of a carrier's right to refuse service to a customer as provided in 83 Ill. Adm. Code 735; or*
 - 7) *occurs as a result of a lack of facilities where a customer requests service at a geographically remote location, a customer requests service in a geographic area where the carrier is not currently offering service, or there are insufficient facilities to meet the customer's request for service, subject to a carrier's obligation for reasonable facilities planning.*
- gf) *The provisions of this Section are cumulative and shall not in any way diminish or replace other civil or administrative remedies available to a customer or a class of customers. [220 ILCS 5/13-712(e)]*

Section 732.50 Customer Education

At a minimum, and no less than twice per year for the first year, and once per year after the first year, each telecommunications carrier shall distribute for receipt by customers educational material(s) about the requirements to install, repair, and meet appointments within the specified amount of time, the availability and issuance of customer credits and alternative telephone service, and the applicable exemptions through a bill insert, e-bill, direct mail, or bill message or regular publication in the carrier's directory.

~~Each telecommunications carrier shall include in the informational pages of regularly published telephone directories educational material(s) about the requirements to install, repair, and meet~~

~~appointments within the specified amount of time, the availability and issuance of customer credits and alternative telephone service, and the applicable exemptions. Until such time as a telecommunications carrier's directory contains such educational material(s), the telecommunications carrier shall distribute at least once each quarter for receipt by customers bill inserts containing the identified information. The bill inserts shall also indicate that the information contained therein will appear in the telecommunications carrier's next directory and the approximate time that that publication will occur.~~

~~Each telecommunications carrier shall also include in its monthly bill to each customer the following statement: "The law obligates all telephone carriers to provide installation and repair in a timely manner. Credits or other remedies may be available for delays in repair, installation or missed appointments." Once a telecommunications carrier's directory is published containing the educational material(s) described in this Section 732.50, the monthly bill statement shall also direct customers to the specific portion of the directory for more information. Until the telecommunications carrier's directory is published, the monthly bill statement shall advise customers of the quarterly bill inserts and indicate that additional information may be obtained by contacting the telecommunications carrier directly.~~

~~Educational material(s) shall be clear, accurate and printed in bold and type of sufficient size and readability. The Consumer Services Division of the Commission shall develop and post on the Commission's website standard minimum education material language to be used by telecommunications carriers in their bill inserts and directories. Any telecommunications carrier who does not use the language posted on the Commission's website shall provide the educational material(s) that it intends to use to the Consumer Services Division for review 120 days prior to being issued.~~

~~Each telecommunications carrier shall also provide a forum(s) for continuous public education that may include, but not be limited to, company web site(s), voice response unit(s), or information posted in public location(s), including a monthly bill message that reads: The law obligates all telephone carriers to provide installation and repair in a timely manner. Credits or other remedies may be available for delays in repair, installation or missed appointments.~~